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10 SAFEWAY INC.

11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13

14 MICHAEL RODMAN, on behalf of himself  
and all others similarly situated,

15 Plaintiff,

16 v.

17 SAFEWAY INC.,

18 Defendant.  
19  
20  
21

Case No. 3:11-CV-03003-JST (JCS)

**STIPULATION AND ~~PROPOSED~~  
ORDER FOR FURTHER EXTENSION OF  
STAY OF EXECUTION AND  
ENFORCEMENT OF JUDGMENT**

The Honorable Jon S. Tigar

22 Pursuant to Civil Local Rule 7-12, Plaintiff Michael Rodman, on behalf of himself and all  
23 others similarly situated ("Plaintiff"), and Defendant Safeway Inc. ("Safeway"), hereby stipulate  
24 and agree as follows:  
25

26 WHEREAS, the Court entered judgment on November 30, 2015 (Dkt. No. 406).  
27  
28

1 WHEREAS, on December 11, 2015, pursuant to the parties' stipulation, the Court entered  
2 an Order for Extension of Stay of Execution and Enforcement of Judgment by which (1) any  
3 execution or enforcement of the judgment was stayed until and including January 5, 2016; and (2)  
4 a supersedeas bond in the amount of \$42,000,000 was approved (Dkt. No. 412).

5  
6 WHEREAS, Safeway is in the process of procuring the supersedeas bond and conferring  
7 with Plaintiff on the language of the bond.

8  
9 WHEREAS, Safeway represents that it is able to satisfy the judgment.

10  
11 WHEREAS, Safeway has made representations to Plaintiff concerning its current financial  
12 condition, and has agreed to immediately notify Plaintiff of any material change in such condition  
13 that would impact its ability to pay the judgment.

14  
15 WHEREAS, Plaintiff and Safeway agree to further extend the stay provided under Fed. R.  
16 Civ. Proc. 62(a) until and including January 12, 2016.

1 Dated: January 5, 2015

Dated: January 5, 2015

3 REED SMITH LLP

CHIMICLES & TIKELLIS LLP

4 By: /s/ Jonah D. Mitchell\*

By: /s/ Steven A. Schwartz

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10 Attorneys for Defendant  
11 SAFEWAY INC.

Attorneys for Plaintiff  
MICHAEL RODMAN and the Class

12 *\* Filer's Attestation: Pursuant to Civil Local Rule*  
13 *5-1(i) regarding signatures, Jonah D. Mitchell*  
14 *hereby attests that concurrence in the filing of this*  
15 *document has been obtained.*

16 **ORDER**

17 **PURSUANT TO STIPULATION, IT IS HEREBY ORDERED** that any execution or  
18 enforcement of the judgment is stayed until and including January 12, 2016. Until such time as  
19 Safeway has obtained the supersedeas bond, Plaintiff may seek emergency relief from the stay of  
20 execution in the event of any material change in Safeway's financial condition that reasonably  
21 implicates Safeway's ability to pay the judgment.

22  
23 DATED: January 5, 2016

